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December 14, 2010

### VIA EMAIL

Hon. Tonianne J. Bongiovanni, USMJ  
United States District Court  
for the District of New Jersey  
Clarkson S. Fisher Federal Building  
402 E. State Street, Rm. 20207  
Trenton, NJ 08608

Re: **Hospira, Inc. et al. v. Sandoz International GmbH et al.,**  
**C.A. No. 3:09-4591 (MLC/TJB) (D.N.J.)**

Dear Judge Bongiovanni:

Our firm, along with Willkie Farr & Gallagher LLP, represents Hospira, Inc. and Orion Corporation (collectively, "Plaintiffs") in the above-captioned matter. We along with Defendants submit this brief joint letter to identify issues that the parties would like to discuss during tomorrow's telephone conference. The parties have been working together and have met and conferred on several occasions regarding discovery issues. Although progress has been made in resolving discovery matters, the parties believe the following issues should be addressed during the conference.

Plaintiffs seek Your Honor's assistance with the following topics:

1. With respect to Sandoz Inc.'s election regarding contentions, Plaintiffs seek an order, *so ORDERED* based on the November 16, 2010 teleconference, rejecting Sandoz Inc.'s ability to rely directly on Sandoz Canada's new contentions because Sandoz Inc. has refused to provide a witness on the issue of diligence. *Sandoz Inc may, however, argue res judicata or collateral estoppel based on the Court's ultimate ruling relation to Sandoz Canada's contentions.*

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2. With respect to the personal jurisdiction defense of Sandoz International GmbH, Plaintiffs seek to formalize the parties' understanding that Sandoz International GmbH has dropped that defense.

*So CONFIRMED  
ON THE  
RECORD ON  
12/15/10*

Defendants have no issues to raise with the Court at this time. With respect to the two issues raised by Plaintiffs, Defendants note the following:

1. With respect to contentions, Sandoz Inc. respectfully disagrees with Plaintiffs' request, for the reasons discussed on November 16 and summarized in Sandoz Inc.'s correspondence to the Court on November 23 and December 1.
2. With respect to Sandoz International GmbH, Sandoz International had understood that these issues were resolved based on the parties' discussions. Since learning on December 14 that Plaintiffs perceive an issue, Sandoz International has offered to continue those discussions.

With respect to other discovery issues, the Plaintiffs and Defendants will continue to meet and confer on issues not yet ripe, and jointly request that the Court schedule a follow-up teleconference prior to the close of fact discovery to address any issues that cannot be resolved among the parties.

We look forward to speaking with Your Honor during the December 15, 2010 telephone conference.

Respectfully submitted,

s/Liza M. Walsh

Liza M. Walsh

cc: Eric I Abraham, Esq.  
Christina L. Saveriano, Esq.  
David Doyle, Esq.  
Matthew D'Amore, Esq.  
Kyle Mooney, Esq.  
(All Via Email)

*A telephone Conference to be initiated by  
Plaintiffs shall be held on Jan. 12, 2011 at  
4:30. Outstanding issues must be presented to this Court  
by Jan 7, 2011*

So Ordered this 15 day  
of December, 20 10



**ORDER ON ORAL MOTION**